

JOHN J. HINDENSON
Federal Prison,
Leavenworth, Kan.

made following statement to Agent Smith
at Leavenworth, December 16, 1925;
3.

"I was a Deputy Sheriff of Osage County
on the date of the explosion that killed
Bill Smith and family at Fairfax, Okla.
O. L. Cook was Sheriff, Fred Whitaker,
L. A. Boyd, Henry Mayes, Ed Cleween,
D. L. Smith, Henry Mayes, Fred Whitaker,
deputies. Harry Moore were active field
and Dock Lains was Under Sheriff
Roby was Assistant Jailor and Col. George
work at night. Mr. Roby was and supposed to
Deputy Sheriff who account any of the
the jail would help him in locking up and
releasing prisoners and many times would
stay at the jail while he went to a show.
On the day before the Smith blow up, Henry
Mayes and I were working on a fellow who
was in jail, his name Blogg, called "Squirrel",
trying to get him to furnish us information
concerning some dope peddlers at Whizbang,
who he had been associated with, and about
6:30 P. M. Henry Mayes and I went up to the
third floor cell at the top of the stairs
as we passed a cell at the top of the stairs
Lawson was then confined in, we saw Deputy
Sheriff Boyd talking to Lawson's cell door
with his head close to the bars talking to
Burt Lawson. I gave that fact no thought
at that time for the reason that I had seen
him there talking to Lawson many times prior

Page 862
Par. Last
Hbbas-verpus ad
testificandum.

10-1-1935

(Continued)

to when and after that, on leaving the jail about 7:30 P. M. Bloyd was still talking with Lawson. On the morning of the explosion, which took place around 2 A. M. and around 8 A. M. a bunch of the deputies were in the Sheriff's office talking about the explosion and I noticed that Bloyd was exceptionally nervous and acted different than usual. I said no-thing at that time, but a few days later, Fred Whitaker, in the presence of Dock Mains, myself, Henry Hayes, mentioned how queer, funny and nervous Bloyd was acting since the blow up and all of us commented on his peculiar actions. Whitaker went so far as to go to Sheriff Cook and told him that on account of Bloyd's actions he did not want to work with him. Sheriff Cook then came to me and asked me if I was afraid to work with him, and I told him 'no', and we then worked together for prob-ably a month or more. Sometime about two weeks after the Smith murder, Bloyd showed up with a new special Studebaker car, specially equipped. Prior to the Smith murder Bloyd was broke and always borrowing from some of us deputies, so naturally we could not figure out where he got the new car. Sometime after he got the new car he very suddenly disappeared and none of the Sheriff's force knew where or why he had gone. I recently heard that "Squirrel" Blogg is in Fort Madison Prison.

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made following statements on December 16
and 17, 1926:

Page 860
Par. 2

I am an inmate of the Federal Prison
serving an eighteen months sentence
from Osage County, Oklahoma, for pos-
session of liquor. My present work is
cleaning and attending to Cell House
Gallery No. 2, and am a Orderly. Some-
time about ten days ago or two weeks ago
I came in contact with one Burt Lawson,
who is a prisoner here, and he remembered
me in Osage County. He seemed to take a
liking to me and placed confidence in me
and we have had many talks together about
Osage County and people we both knew. A
few days ago Lawson told me in confidence
that he trusted me and went on to tell me
that he was brought here by the Government
from McAlester prison and that he had no
sentence here. That he blew up the Bill
Smith home in Fairfax; that Bill Hale and
another party furnished the money and that
Bill Hale and a Deputy Sheriff took him out
of Pawhuska jail where he was in on a mur-
der charge, and took him to Fairfax on the
night Smith's house was blown up and that
he actually did the blowing up. That he
was taken back and put in the Pawhuska Jail
after the blow up and that none of the of-
ficials knew that he was out of jail except
the Deputy Sheriff, and that he was taken
out before then once by the Deputy. Lawson
told me that he made a statement to many
some Government men telling him the truth

FOR BOLES
(continued)

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He was taken out of jail and he
he blew up Smith's house, but since mak-
ing the statement he told several that the
statement was not the truth and had sent a
letter to the Department of Justice at
Washington through his sister at Oklahoma
City, telling the Government his statement
was not the truth, but that the statement
was the truth but that he was going to
back out of it. My reason for furnishing
this information is that if what Lawson
has told me is the truth, that those im-
plicated should be prosecuted as it was a
horrible affair".

"A few moments ago on being advised that I
was wanted at the garden's office, Burt
Lawson asked me who wanted to see me. I
told him I thought it was my lawyer. Law-
son said if it is your lawyer he is a friend
of Bill Hale and you tell him to tell Hale
for him to stand by me and I will stand by
him. Tell him not to fail to tell Hale this."

Boles sent the following letter to Agent Smith
at Guthrie, on December 19, 1925:

"Dear Sir: I will write you a line to let you
know how everything is. Burt Lawson has agreed
to stay with the statement he made to you. I
told him if his statement was true he had better
stand by it and tell the truth no matter who it
hurt. He said he would do it. He said he had
better take care of himself they wasn't going

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Bill Hale and Deputy Sheriff Bloyed came to the jail where he was and the Deputy Sheriff taken him out at night and Bill Hale taken him to Fairfax and drove him up to the alley. He got out of the car and he goes up the alley back of the Bill Smith house, goes in the back way with a jug of nitroglycerine puts it under the house and exploded it and blowed it up then walked back down to Erney Burkhardt's place where Bill Hale agreed to wait for him. He found Hale waiting there for him and Bill Hale got in the car and went back to Pavhuska and Bloyed taken him and put him back in jail. He said Deputy Sheriff Bloyed framed this job up had all the arrangements and he blowed it up. He said he thought the Deputy got more out of it than he did. He hasn't told me how much he got for the job but he said he got a good price of money out of it. He says he don't know waether Burkhardt had anything to do with it or not, but Hale waited for him at this place while he was doing the job. It looks a little bad on his part to me. He says he is going to ask you to not prosecute him in this case. I told him he had better take care of himself. I didn't think Hale was going to help him out. I told him all people wanted was the truth in this case they wanted the guilty party and to just tell the truth and it wouldn't hurt him any. He said he would do it. Well sir, I

THE FEDERAL BUREAU OF INVESTIGATION
OF THE DEPARTMENT OF JUSTICE
IS REQUESTING YOUR ASSISTANCE

U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20535

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Henry Rean's body was found
 Roy Bunch told me that Bill Hale had
 offered him money to leave Fairfax, and it
 was a good thing he didn't take it, for
 if he had left it would have made things look
 bad for him.
 Before Henry Roan was killed Roy Bunch
 always carried an automatic pistol. I
 don't remember seeing Roy Bunch with this
 pistol after Henry Roan was killed.

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ARON BARGER
(Continued)

Made the following sworn statement to Agent Wren in the presence of E. M. Pike at Fairfax, Oklahoma, December 18, 1935: Par. 1. Page 864

My name is Aron Barger, I am 29 years old, married, and have resided in Fairfax, Okla. for 17 years. I am the proprietor of the B. & M. Billiard Parlor, located in Fairfax, Okla.

I have known Mr. Roy Bunch intimately for 12 years, and he frequented my place of business located in Swanson Building for several months prior to the death of Henry Roan, and at various times stated to me that he loved Mary Roan, and would marry her if he could get her.

On or about _____ or about ten days prior to the finding of Henry Roan's body, while on my way home from my place of business at about 12:30 A. M., I met Roy Bunch in front of the Ford Garage in Fairfax, Oklahoma, and he stopped me and we entered into a conversation. Mr. Bunch asked me if I had ever heard Henry Roan make any threats against his, Bunch's, life, and I stated to him that I had not. Mr. Bunch then asked me that in case I have to kill Mr. Roan, would I swear that I had heard Mr. Roan make threats against his, Bunch's, life, and I told him that I would not. Mr. Bunch then stated that Mr.

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...last April. The
were married at New York City, July 10, 1924. She asks for
alimony and for her maintenance of her children.

Ann South of Blackwell charges adultery on the part of her husband, I. T. Smith, on July 10 of last year. The couple have two children, Alden, 9, and Bennie, 7. Mrs. Smith is seeking divorce and means for support of the two children.

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TONKAWA APPOINTS COMMITTEE ON DATES

Tonkawa, Jan. 25.—Conflicting dates have been hampering civic meetings in Tonkawa for some time, so the chamber of commerce has appointed a "committee on dates." The duty of the duty of the committee is to see that various events are scheduled so they will not conflict.

Marland of Al G. Strel, is s world. D. is not so of his hom ing to put into the l

ROADS ARE SLIPPERY BUT ARE TRAVELABLE

Tonkawa, Jan. 25.—Roads in and out of Tonkawa were slick but passable Sunday. motorists from all directions reported. Busses ran about on schedule. The road beds were frozen before the snow fell, and cars slide to and fro across the road, but did not penetrate deeply.

Fields here whi publicity show. Miller headquarters on the daily ne which i to the a booked. several h charges up from

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Not only does the decision af-
fect the main case, in which
and Ranney are now... but
also of the Osage murder... and
new indictments may be returned.

SCOUT WORKERS TO MEET HERE TONIGHT

Members of the Ponca City
Rotary Club will attempt tonight
to overcome the lead held by the
Lions club in the contest for at-
tendance at the Boy Scout train-
ing school conducted weekly by
H. W. Wester, Noble-Kay county
areal council director, at the city
hall.

Tonight's meeting at 7:50
o'clock will be the second of a
five-week series, and both clubs
are keenly interested in the con-
test as a means of promoting in-
terest in the Boy Scout move-
ment. At the first meeting there
were 22 Lions and 12 Rotarians.
Not only members of these two
clubs are invited, but also any
man interested in knowing more
of the scout movement, and the
program under way in Kay and
Noble counties.

Hotel Death List Increased

Allentown, Pa., Jan. 25.—When
the death of Edward Ritchey of
Scranton today, the toll of lives
lost in the Lafayette hotel fire
Saturday reached 13.

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Dr. J. J. Smith, of the commercial...
 gave a testimonial of the "poor-
 ists old, early Sunday morning."
 physician. Unable to get a doc-
 or at the moment, Stewart rush-
 ed Kathleen to Ponca City hospi-
 tal where she has since been re-
 ceiving treatment. Her throat and
 tonsils are extremely sore, but
 she is believed that all of the pos-
 sible had passed from her system.

Follow your winter skin...
**\$5,000 IS GIVEN TO
 FIND BALDNESS CURE**

New York.—In an effort to
 cure baldness and other ills of the
 hair, Charles Messier, president
 of the American Master Hair
 Dressers' association, has given
 \$5,000 toward the establishment
 of a college on hair research.

A Good line of...
 centrifuges...
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 tion, granted by D-
 William H. Zwick, in
 straining the depart-
 ment the fee.
 This was made clear
 way department, re-
 der of Judge Zwick
 fically demand the
 money but merely st-
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College President Defends Youth Against Indictment of Frivolous

For a long time the rising genera-
 tion has been the target of the gen-
 eral indictment against youth in
 the social art of deceit. Dr. A. A.
 Leavenworth, president of Central
 Leavenworth college, Ada, re-
 ceived the indictment against
 youth in an address at the Chris-
 tian church Sunday morning.

"I have never found out and I
 don't believe anyone has ever
 found out whether there is any
 relation between styles and
 morals," Dr. Linchfield said, "but
 the present youthful styles, tend-
 ing to an exaggerated fullness on
 the face and an abbreviated scanti-
 ness on the other, are not designed
 by our youth. They are made and
 popularized by members of the
 generation already arisen."
 Dr. Linchfield pointed out that
 the charge that our youth is more
 frivolous than formerly is not
 borne out by statistics. He be-
 lieves there are more good stud-
 ents in the high schools and col-
 leges today than there were 25
 years ago. As the enrollment in
 these institutions had increased
 about 700 percent, there is a bet-
 ter cross section of society, he
 thinks, than in the old days when
 only the serious minded and the
 decidedly determined ever attained
 a high school or college education.
 "We must reform ourselves be-
 fore we begin on you-
 be sure we have taste
 speech and proper re-
 theory before we can
 things of our youth
 had all the money
 in one year for joynt
 costing over ten ce-
 luxuries in general
 the generation al-
 could increase every-
 ary, improve every-
 ing of every profes-
 the United States
 Henry Ford and Jo-
 fellow on equal fin-
 he said.

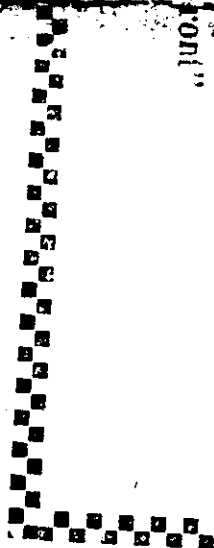
Assorted colors, extra
 long and a regular
 \$1.49 item, the PAIR—
\$1.00

1 1/2 Bro. & M Muslin
 Off: 1 1/2, Brown Muslin,
 36 inches wide, a real
 good one, 10 YDS. FOR
\$1.00

Miller's \$1.75
 Corsets—

A nice Brocaded Corset,
 pink shade and all sizes,
 EACH—
\$1.00

COMPANY



noon, conducted by Rev. T. M. Merold, 22-year-old son of T. W. Acton, veteran Ponca City mail carrier who died early Sunday morning, underwent an operation for acute appendicitis Sunday night at Ponca City hospital. His condition was said to be satisfactory today.

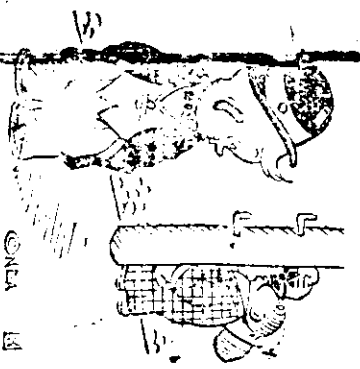
Hunter, of the Baptist church, burial was in I. O. O. F. cemetery at White Cloud, Kan., August 2, 1867, and came to Kay county when the Cherokee Strip was opened. He claimed a farm north-east of Ponca City, where he lived until he became a rural mail carrier about 15 years ago.

Acton was the only mail carrier here ever to be retired on pension, retiring from the postal service because of his illness. He was married August 23, 1844, to Mary Drusel of Cross, by whom he is survived. He also leaves five sons, Sidney W. Acton, student at A. and M. college, Stillwater; Gerhard H. Acton, 422 North Elm street; Donald T. Acton, 211 West Oklahoma; Fred; Merold M. Acton, 419 South Birch street; and George Acton, living at home; four daughters, Pauline, Mary, Esther and Edith, all living at home, and one brother, Norman Acton, of South Fifth street.

away the body and legs. I remembered it Thursday morning and took a paper that bore the date of September 11, 1924, and wrapped it up and then took it and drew it under the trestle." District Attorney Taylor asked if Mrs. Dietrich had any reason to envy her life.

"She told me she had taken poison," said Marshall. "She had a boy affair with one of the big fellows in New York and being a poor girl, who went to work every day, he threw her down. That broke her heart."

Most of the world's emeralds are produced in Colombia, South America.



above five hundred, or the greatest the organization has ever possessed.

COULDGE RECEIVES COURT MARTIAL DATA

Washington, Jan. 25.—The court martial record of Col. William Mitchell has been forwarded to President Coolidge for final action.

War department officials who transmitted the papers to the White House declined today to intimate what recommendations they had made.

The court's trial record was approved early last week by the war department board of review, and it now rests solely with the president to decide whether to make effective the five-year suspension to which the air officer was sentenced for his public attack on government aviation policies.

THIS DAY IN WASHINGTON

House dispose of naval appropriation measure.
Senate votes on petition for closure in world court debate.

Mistaking a bottle of carbolic acid for a bottle of medicine, Stewart, 416 North Union street, department in Ponca City high school to their daughter, Kathleen. Slight hope was expressed her recovery Sunday, but physicians this afternoon were of opinion that the child is out danger unless complications can be a relapse.

Mother Collapses

Mrs. Stewart suffered a nervous shock as a result of the unfortunate error, but her condition is not considered serious.

Stewart said today that Kathleen had had a severe cold, that he had given her a dose of the cough medicine Saturday night. Upon retiring he sat in bed where it would be handy needed during the night. Sunday morning while he was absent from the home, the time, Mrs. Stewart gave the child the carbolic acid. The fluid was of a reddish color and could easily be mistaken for the color of colored cough syrup.

"Medicine" Burned Mouth

When Stewart again entered the house he said he heard Kathleen burned her mouth. Mrs. Stewart gave the child an enema, and the first bile brought forth seemed. Odor of the carbolic acid caused Stewart to investigate, and the error was discovered. Mrs. Stewart gave the child some milk, while he tried to

TY NEWS

MEMBER OF
ASSOCIATED PRESS
UNITED PRESS NEA SERVICE

WEDNESDAY, JANUARY 25, 1926.

Full Lensed Wife Associated Press

PRICE THREE CENTS

DA GE INDICTMENTS

Mr. Foxbot



SENATE CLAPS
CLOSURE RULE
ON MEASUREMENTS

FINAL VOTE ON COURT
IS MADE CERTAIN
THIS WEEK

*Federal Jurisdiction
Sustained; Men Held
For Further Charges*

Government Makes Plans for New Indictments as Court Sustains Detainer on Technical Grounds

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Department of Justice.

Bureau of Investigation.
P. O. Box 125,
Oklahoma City, Oklahoma.
Feb. 3, 1926.

12

CONFIDENTIAL

Mr. J. E. Hoover, Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Dear Mr. Hoover:-

Re: W. K. (Bill) Hale and John Kansas
Murder of Osage Indians.

I have just received information that Hale has a
brother-in-law in Washington in Government service, named
Will King.

My information is that King is a bookkeeper, or
stenographer, but the information coming to me did not go so
far as to inform me just what department King is in. King
married Hale's sister.

I believe it would be worth while to learn just
where this man is working in Government service and whether
or not he is in the Department of Justice.

If you concur with me in this, would you kindly
have someone find out, if possible, what department he is
working in and whether or not he would have any opportunity
of learning any of the details of the case against Hale.

Yours very truly,

E. B. White

E. B. White,
Special Agent in Charge.

FEB 13 1926

EBW:M.

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52-33-315

FEB 13 1926

February 9, 1926.

MEMORANDUM FOR MR. FLOORNOY:

I am forwarding herewith copy of a letter dated February 3rd, from our Oklahoma City Office, with regard to WILL KING a brother-in-law of T.M. JALE, principle in the Cadge Murder cases. Inquiry at the Department of Justice yesterday, resulted in the report that KING is not connected with the Department of Justice, however, I wish you would ascertain exactly where he is in the service and advise our Oklahoma City Office.

Very truly yours,

Director.

encl. 14796

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THIS CASE ORIGINATED AT Oklahoma City, Okla.

REPORT MADE AT: Oklahoma City, Okla.	DATE WHEN MADE: 1/26/26	PERIOD FOR WHICH MADE: 1/16-25/26	REPORT MADE BY: F. S. Smith
TITLE: U. S. vs. J. K. HALE and JOHN RAMSEY.			CHARACTER OF CASE: Murder of George Little Anna Brown et al.

O. C. File #70-1

SYNOPSIS OF FACTS:

Motions to quash indictment in case #5660 overruled. Demurrers to same indictment sustained and defendants ordered held for further action of Grand Jury. Hale's lawyers made unsuccessful attempt to get control of Ernest Burkhardt. Opinion of court on demurrer, petition of Hale's lawyers for delivery of Ernest Burkhardt and Burkhardt's letter requesting body guard quoted herein.

Continued.

Details:

Reference is made to report of this Agent dated January 31, 1926.

The arraignment of J. K. Hale and John Ramsey, on indictment #5660, was set for January 16, 1926. On this date their attorneys asked for time to plead, and were given until January 19. On January 19 their attorneys filed motions to quash, and January 23 was set as the date for arguments. On this date the motions were overruled without arguments. Attorneys for Hale and Ramsey made demurrers, and after hearing arguments, Judge Cotteral ruled the matter under advisement until January 25.

The opinion of the court, sustaining the demurrers, is as follows:

APPROVED AND FORWARDED:

WASHINGTON REFERENCE:

TWO

F. S. Smith
SPECIAL AGENT IN CHARGE

COPIES OF THIS REPORT FURNISHED TO:
Washington 3 ✓
Oklahoma City 3 ✓
John Ramsey
1/26/26

DO NOT WRITE IN THESE SPACES

62-5033-312

BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE

ROUTED TO: FILE

RECORDED AND INDEXED: 111

CHECKED OFF: FEB 21 1926

JACKETED:

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OPINION ON DEMURRER TO INDICTMENT

The indictment charges the defendant John Ramsey with the murder of John (Henry) Roan, on January 31, 1925, in Osage County, Oklahoma, and the defendant William H. Hale with then and there aiding, abetting, counseling, commanding and procuring John Ramsey in so doing. The place of the offense is further described as the "Indian country", upon a tract of eighty acres comprising a restricted allotment of Rose Little Star (or Tom-pah-pe), a full-blood Osage Indian, a legal member of the Osage Indian Tribe, enrolled upon the roll of said tribe, as declared by the Osage Indian Allotment Act of June 28, 1906, remaining unsold and undisposed of by said allottee, and at a point on said allotment described by section, township and range, about four miles in a northwesterly direction from Fairfax, in said county. The victim of the alleged crime is described as a full-blood Osage Indian, and a legal member of the Osage tribe upon the rolls thereof.

There is no claim that the essentials of the crime are not set forth as defined in section 575 of the Penal Code, and in Section 553 thereof which declares to be a principal one who aids or abets in the commission of an offense. The main objections are that no crime is charged against the United States because the Federal laws against unlawful homicide were not extended to the place of this alleged crime or to the protection of Henry Roan.

Section 575 of the Code defines and fixes a penalty for murder and manslaughter when committed on lands under the exclusive jurisdiction of the United States. By section 2145, U. S. Rev. Statutes, it is provided, "***** the general laws of the United States as to the punishment of crimes within the sole and exclusive jurisdiction of the United States ***** shall extend to the Indian country."

Controversy is now foreclosed as to the constitutional power of Congress to apply the criminal laws of the United States to a reservation in a state legally set apart for the use of an Indian Tribe or to allotments carved out of it. *Donnelly v. United States*, 228 U. S. 243-269. *United States v. Pelican*, 332 U. S. 442. *United States v. Sutton*, 315 U. S. 291. The like power rests in Congress to apply those laws to ceded lands not owned by Indians when located in such proximity that those laws are reasonably essential to their protection. *Dick v. United States*, 308 U. S. 340. *Ferrin v. United States*, 252 U. S. 473. It is immaterial that the Indians own their land in fee. *United States v. Sandoval*, 251 U. S. 28. It has been directly held to be a competent exercise of that power to level punishment against persons having the possession of intoxicating liquors in Osage County, Oklahoma, by reason of the presence of the

Indians there, regardless of the title to the lands where the Indians were possessed. *Browning v. United States*, 6 Fed. (2) 301. By the same principle, Congress may apply the more important laws against murder for the security of the Osage Indians. *United States v. Belican*, supra.

There is no difficulty, therefore, in holding that Henry Roan was an Indian to whom Congress was authorized to grant such protection, or that it has done so, if the alleged crime was committed in the Indian country. He was, as alleged, an enrolled full-blood member of the Osage Tribe, and as appears from the Osage Allotment Act, of June 28, 1906, (34 Stat. 539) subsequent Acts of Congress and the Departmental Regulations thereunder, the tribal organization continued, subject to Departmental powers. There is an Indian agent over these Indians, with a superintendent in charge, their funds including royalties from mineral leases for 25 years and other sources are subject to distribution by the Secretary of the Interior, leases of the lands are dependent upon his approval, the sale of the allotments is subject to his control, etc. And these Indians have continued to be wards of the Government, notwithstanding their citizenship and subjection to various state laws. *Mosier v. United States*, 193 Fed. 54. *Hallowell v. United States*, 231 U. S. 317. *Tiger v. Eastern Investment Co.*, 231 U. S. 286. *Browning v. United States*, supra. *Ferrin v. United States*, supra. *United States v. Nice*, 241 U. S. 591. *United States v. Gray*, 201 Fed. 293. And the power to protect them being derived from the Federal Constitution, is not dependent upon a compact with the state, or a reservation in the act of admission. *United States v. Sandoval*, supra. *Coyle v. Oklahoma*, 231 U. S. 559, 574. *Joplin Mercantile Co. v. United States*, 213 Fed. 926.

But does the indictment sufficiently charge that the allotment of Rose Little Star was "Indian country"? The terms "Indian country" and "restricted allotment" are but conclusions derived from unalleged facts. In what way and against what was it restricted? In what way was it Indian country? What the grand jury conceived to be Indian country may not be so at all. The only facts averred with descriptive certainty are, in substance, that the allotment was that of a legally enrolled full-blood member of the tribe, not sold or disposed of by the allottee. More definite facts are essential to describe the allotment as Indian country. The laws applicable thereto must be computed to ascertain them.

The allotment act (supra) authorized the Osage tribal roll and the division of the reservation lands among the Indians, consisting of a homestead and other selections and awards, known as surplus

lands. The homestead was to be inalienable until otherwise provided by Congress. Secs. 1, 2, 3. The Secretary of the Interior was empowered, upon request and petition of an adult member, to issue him a certificate of competency, authorizing him to sell, convey and control his surplus land, the same as any other citizen, and it would be subject to taxation, etc. Sec. 2 subd. 7. By the Act of March 3, 1909 (35 Stat. 778) the Secretary was authorized, upon application, to sell any or all of the surplus lands. By the Act of April 13, 1912 (27 Stat. 86) the property of deceased and of minor, insane or other incompetent allottees was made subject to the jurisdiction of the county courts, but no lands were to be sold without the approval of the Secretary. By the Act of May 25, 1910 (40 Stat. 573) the Secretary was authorized to permit the sale of the surplus and homestead allotments. From this brief reference to the legislation on the subject, it is apparent that all the allotted lands might have been freed of governmental trust and become subject to alienation and sale by the allottees.

But the indictment is so far indefinite as to the actual status of the Rose Little Star allotment, that is, whether it was so held in trust, or alienable and free of it, by virtue of a certificate of competency, or authorization of the Secretary of the Interior, or otherwise.

In the first place the Osage Reservation was acquired from the Cherokees and was conveyed in trust for the tribe. *United States v. Brewer-Elliott Oil and Gas Co.*, 249 Fed. 609; affirmed 278 Fed. 100, 260 U. S. 277. And it became Indian country. *Brown v. United States* 146 Fed. 975. The allotments, notwithstanding the divisional deeds to the Osages, were held in trust by the United States, for it is expressly so declared by section 5 of the allotment act. And upon the authority of *Reliance v. United States*, they constituted and remained Indian country, as long as they were not released therefrom.

That these allotments might cease to be of that character while still owned by the allottees seems clear from the decisions. In the *Reliance* case, the indictment specified that the allotment where the offense occurred was held in trust by the United States. This conclusion was reached by considering that as the reservation formed a part of the Indian country, the allotments still retained during the trust period a distinctly Indian character, being devoted to Indian occupancy under the limitations imposed by Federal legislation. It was further held:

"The explicit provision in the Act of 1897, as to allotments, we do not regard as pointing a distinction but rather as emphasizing the intent of Congress in carrying out its policy

with respect to allotments in severalty where these have been accompanied with restrictions upon alienation or provision for reversion on the part of the Government. In the present case, the original reservation was Indian country simply because it had been validly set apart for the use of the Indians as such under the superintendence of the Government. *Donnelly v. United States*, supra. The same considerations, in substance, apply to the allotted lands, which when the reservation was diminished, were excepted from the portion restored to the public domain. The allottees were permitted to enjoy a more secure tenure and provision was made for their ultimate ownership without restriction. But, meanwhile, the lands remained Indian lands set apart for Indians under governmental care; and we are unable to find ground for the conclusion that they became other than Indian country through the distribution into separate holdings, the Government retaining control."

Beyond the stress thus laid upon the status of the title, where an allotment is the locus of the offense, a conclusion is necessary that Federal jurisdiction, not being reserved, does not extend to lands held in fee by the allottee, free of governmental trust and restriction upon sale. Such title is no longer of an Indian character, and the laws apply to it. The allotment of Rose Little Star would be of Indian country and therefore subject to Federal jurisdiction only if held in trust by the United States, and inalienable for want of authorization or sale by the Secretary of the Interior.

If, as counsel claim, this was a surplus allotment held in trust by the United States and thus inalienable, not being then distributed into a "separate holding" and the Government not "retaining control of it", Federal jurisdiction over the alleged offense existed. And appropriate averments should have been added that this was a surplus allotment made pursuant to the allotment act of June 30, 1906, the title thereto then and there held in trust by the United States and inalienable by the allottee, no certificate of competency having been issued nor by the Secretary of the Interior, and no sale of said allotment having been permitted or made by the Secretary of the Interior. But there are no such averments, and as without them the allotment may have been free of the trust and subject to sale by the allottee, the indictment fails as to jurisdictional facts, except that it was committed in the Indian country, which is an essential of the offense. *Louis v. United States*, 254 U. S. 540. That this was meant to be alleged in due form may be assumed, but it does not sufficiently appear from the language employed in the indictment.

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The test of Indian country to be applied here is not found in whether the allottee had parted with his title independently or by him. The cases cited here upon the title test refer to the original Indian title of tribes falling within the definition of Indian country by the Act of June 30, 1834, or apply that test to lands where the tribal title has been ceded in Indian Reservations. *Bates v. Clark*, 95 U. S. 304. *St. Pierre Crow Dog*, 109 U. S. 556. *Dick v. United States*, 208 U. S. 340. *Browning v. United States*, supra. *Evans v. Victor*, 204 Fed. 361. *Clairmont v. United States*, 225 U. S. 551. An allotment owned in fee by an individual Indian free of trust and restriction is not Indian country because his title has not been extinguished.

Just (10.20) has a suggestion, rather than an argument, as being material in opposition to the demurrers, that all of Osage County remains Indian country because by the Osage Allotment Act minerals underlying the lands which composed the reservation were reserved to the tribe for twenty-five years, and the Indian title thereto has not been extinguished. This view, most seriously affecting, as it must, the jurisdiction constantly exercised by the state courts is inadmissible. It could not apply to this allotment, nor to others not appearing to contain minerals, but even if they be found or assumed to exist such a variable basis of Federal jurisdiction cannot be sustained or have been contemplated by Congress. For, by freeing the land of trust and restrictions the same measure of title passed to the allottees as to land allotted in other reservations, where the jurisdiction of the state courts has been held to attach, as in *Clairmont v. United States*, supra. Therefore, the better and the sound rule, and the only certain and dependable standard which prevails generally is that when the Indian holds an alienable title in fee to the surface, Federal jurisdiction, not being expressly reserved by Congress in such case, has ceased to exist and the state courts have succeeded to the jurisdiction.

Whether the views of this court as to the sufficiency of the indictment are well taken, certainly a corrected indictment should be sought, if justified by the facts. The present order will be that the demurrer demurrers of the defendants are sustained, the indictment is set aside, for want of a sufficient averment of jurisdictional facts entering in the offense charged hereinbefore pointed out, and the cause submitted to the grand jury for its further action. Certainly, the defendants will be held by the marshal to await such action. Of course, if counsel for the government elect a writ of error, or be sued out from the Supreme Court, or for stay to the original local Act of March 2, 1907, 34 Stat. 1046.

Osage County, Oklahoma, January 25, 1926.

During the course of the proceedings on January 23, the attorney for the petitioner presented the following petition to the court:

Know all men Ernest Burkhardt, by Fredling B. Howard and Grinstead, Scott, Hamilton & Gross, his attorneys, and represent and show to the court that one Ernest Burkhardt stands charged by information, in Osage County, Oklahoma, of the crime of murder.

That the said Ernest Burkhardt was held by the United States as a witness before the recent Grand Jury within and for the Eastern District of Oklahoma, and that said Grand Jury has adjourned, and that there is now no charge pending against the said Ernest Burkhardt, wherein the United States of America is plaintiff.

It is further represented and shown to the court that the said Ernest Burkhardt is not now confined in any jail of the United States or of the State of Oklahoma, and that the last seen of the said Ernest Burkhardt, he was in company with and in custody of one John Wren, either a Deputy Marshal or an inspector of the United States, but an official representing the United States.

Your petitioners further represent and show that the said Ernest Burkhardt is a married man; that Hollie Burkhardt is his wife, and that he has two children, one boy named James, about five years of age, and one girl named Elizabeth, about seven years of age, both of whom are at this time sick and in need of the care and attention of their father.

Your petitioners are unable to say just where the said Ernest Burkhardt is, but believe him to be in the custody of the said officer, and that this court has jurisdiction over said officer, and that if he is restrained by said officer, he is restrained without any order of this court and without any process of law from any court of the United States.

And in view of the premises considered, your petitioners pray that an order be made directed to the United States Marshal of the Eastern District of Oklahoma, or to any officer he may have in custody, the said Ernest Burkhardt, ordering and commanding him to produce the said Ernest Burkhardt before this court at once, or to release him within the state of Oklahoma if held therein.

Attorneys for Ernest Burkhardt

1723

8. F. B. Smith 1/29/35

This petition was immediately met by the United States Attorney with the following letter:

Oklahoma City, Okla.
January 29, 1935.

Hon. Roy St. Lewis,
United States Attorney,
Oklahoma City, Okla.

Dear Sir:

I have been told that Lawyer J. I. Howard, of Arcadia & Howard Law Firm, Oklahoma City, Oklahoma, and Lawyer Lemmon of Muskogee, Oklahoma, have been stating that they represent me in the Cange murder cases.

This is to advise you that I have never employed, or had anyone else employed a lawyer in these cases, and will further state that I do not want any lawyers to represent me at this time.

Should I desire any legal representation, I will make my own arrangements and notify you accordingly.

Very truly yours,

(Signed) ERNEST BURNETT.

The court pro. held that there was nothing before it, and the matter was dropped.

Ernest Burnett's request for a body guard is as follows:

Butler, Oklahoma,
January 19, 1935.

Mr. J. B. White,
Department of Justice,
Oklahoma City, Oklahoma.

Sir:

I having confessed to the Government, in writing, at knowledge of the murders of F. B. Smith and wife, and servant,

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A. H. BARR

9. F. S. Smith 1/28/26

Wattie Brookshire, and Henry Roan, and my participation with
W. H. Hale, John Ramsey and others in these murders, and now
realizing the importance of my testimony in the future trials
of these cases, and the danger that I will be placed in should
Hale and his friends find out that I have told the Government
the truth, I think it best that I stay away from Osage County
until such time as the Government needs me as a witness, and
pending the trial of the Government's cases, that the Govern-
ment place a body guard with me continuously for my protection.

Very truly yours,

(Signed) FREDERICK BULLOCK

Witness:
F. S. Smith.

Continued.

1725

WGC:JEM

62-5083 - 312

FEB 11 1926

February 6, 1926.

MEMORANDUM FOR MR. LORING:

I am forwarding herewith a copy of a report of Agent Smith of our Oklahoma City Office for January 25th, showing court action taken in the Osage Murder cases.

Very truly yours,

Director.

encl.
14778

RECORDED & INDEXED

1726

THIS CASE ORIGINATED AT

W. Va.

REPORT MADE AT: Martinsburg, W. Va.	DATE WHEN MADE: Jan 29-1926	PERIOD FOR WHICH MADE: Jan 24 to 27.	REPORT MADE BY: A. J. Smith
TITLE: VS. W. H. Hale and A JOHN RAMSEY.		CHARACTER OF CASE: MURDER OF OSAG INDIAN WILLIAM BROWN, ET AL.	

(C. J. File #70-1)

SYNOPSIS OF FACTS:

Joint Report of Agents E. E. Parker and J. V. Murphy.

Elmer Smith, Jefferson City, Missouri, State penitentiary, interviewed regarding being propositioned by W. H. Hale to kill J. E. Smith. Elmer Smith made verbal statement, giving unreliable information concerning proposition. Certified copy of bill of sale obtained from Wm. L. Minton Motor Co., covering Ford auto sold to John Ramsey. CONTINUED.

REFERENCE - Is made to all previous reports, captioned as above.

DETAILS at Jefferson City, Mo.

62-5033

The following letter was received from one Elmer Smith, convict No. 33402, Jefferson City, Mo., State penitentiary:

Missouri State Penitentiary,
Jefferson City, Missouri,
January 19, 1926.

Mr. William Brown,
Martinsburg, W. Va.

Dear Sir:

I am now taking the time and pleasure to drop you a few lines today in regards to William H. Hale. I have some very important evidence for

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: <i>A. J. Smith</i> SPECIAL AGENT IN CHARGE	62-5033-313	RECORDED AND INDEXED:
WASHINGTON REFERENCE: TWO.	COPIES OF THIS REPORT FURNISHED TO: Washington-3 Oklahoma City-6.	CHECKED OFF: FEB 9 - 1926
	BUREAU OF INVESTIGATION JAN 29 1926 A.M. DEPARTMENT OF JUSTICE	JACKETED:
	ROUTED TO: <i>[Signature]</i>	FILE: <i>[Signature]</i>

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Now. I might be of great help to the Court in this case.

Yours truly,

ELMER SMITH,
No. 28402,
Box 47, Jefferson City, Mo."

Elmer Smith was interviewed by Agent L. H. Parker at the Jefferson City, Mo., State penitentiary regarding the information contained in Smith's above quoted letter, and Smith made the following verbal statement:

"My name is Elmer Smith. I am now serving a 25-year sentence in the Missouri State Penitentiary for the robbery of the Garden Theatre at Kansas City, Missouri.

"Some time during the month of March, 1925, W. H. Hale came into the Buick Garage at Pawmusha, where I was working, and asked me if my name was Smith. I told him it was, and he then asked me to follow him outside, which I did. Hale then told me that he wanted me to buy off Bill Smith at jail. Hale said that he would give me \$2000.00 to do the job. I told Hale that he must be mistaken in the person to whom he was talking, and he then asked me if my name wasn't George Smith, and I said no it was Elmer Smith, that George Smith was back in the garage. He then called George Smith out and talked to him, but I do not know what he told him or asked him to do. No one was present when Hale talked to me, and I did not see Hale talk to George Smith.

"A short time after Hale talked to me, I received a letter from Hale in which he advised me to leave Pawmusha. I tore this letter up after I read it, and paid no attention to it. I do not know Hale only by sight. George Smith is now in jail at Clinton, Mo., State penitentiary serving sentence for bank robbery."

Upon being closely questioned by Agent, this party admitted that he had received most of his information concerning the case from newspapers he had read. It is evident that this convict is trying to make up a story on the strength of which he might be able to obtain a parole with the idea in view of making his getaway. Smith was unable to give a description of W. H. Hale, who he claimed propositioned him to kill W. H. Smith.

1718

At Ponca City, Okla.

Agent W. V. Murphy obtained from the Glen E. Wigton Motor Company, 120 South Second Street, Ponca City, Okla., the following bill of sale covering a Ford automobile sold to John Ramsey on Jan. 4, 1935:

Ponca City, Okla. Jan. 4th, 1935

Mr. John Ramsey,

Gen. Delivery, Law City, Okla.

in account with

GLEN E. WIGTON MOTOR CO.

Ford Lincoln Fordson

Authorized Sales and Service
The life building a reputation on service.

1 Ford Roadster, Motor Number 6894153
Price - 444.00

EXHIBIT

1. Ford Steering Wheel Lock - 15.50
License - 10.00

Total - 467.50 Cash.

I, W. V. Murphy, Vice President of the Glen E. Wigton Motor Company, hereby make affidavit that this is a true and correct copy of the bill of sale which was issued to John Ramsey on January 4, 1935.

W. V. MURPHY.

Subscribed and sworn to before me, Willa V. Day, a Notary Public and for County of [redacted] State of Oklahoma, on this [redacted] day of [redacted], 1935.

Willa V. Day.

Notary Public.

My Commission expires January, 1936.

JO RAMSEY.

726

Department of Justice,

Bureau of Investigation.

P. O. Box 123,
Oklahoma City, Oklahoma.

January 21, 1926.

62-50335

Mr. J. Edgar Hoover, Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Dear Mr. Hoover:

Personal - Confidential.

In accordance with instructions contained in your personal and confidential letter of January 9th, I am herewith enclosing a summarized report, together with a number of photographs in connection with the Osage Indian Murder Cases.

This report is addressed to me and was made by Special Agent Frank S. Smith, with the assistance of Special Agents Granville Grimes, J. V. Murphy, and John R. Burger, and covers the case fully, laying a special stress upon the angle that the human interest is most concerned with.

The photographs are of the principal actor in this case, W. K. Hale, together with several of his victims, and scenes around the points of his operations. All of the photographs are either marked on the face of them or on the reverse side as to just what they are.

I have endeavored and have been successful in keeping out of the papers in this entire transaction. There has been no statement from either the agents or myself in reference to our connection with this case and we have strictly abided by your instructions in this regard. However, I should think that a report of this case would not show the proper color unless the agents assigned thereto are mentioned. I can say without a reservation that the combined efforts of the agents in connection with this investigation is what put it over, and I am sure that you will give them full credit for the same.

I might mention in this connection that there is a state officer in Oklahoma who gave me as valuable service as any of the agents in this case; that is Luther Bishop, who is connected with the State Bureau of Investigation. Mr. Bishop has been a state officer for a number of years and has been successful in putting in the peni-

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Mr. Hoover. Page #2.

tentiary more bank robbers and other outlaws than any other man in this state. I can't say as much for some other state officers that I had dealings with, but I can commend this man's services very highly. His services were obtained through my request made personally upon Governor M. E. Trapp of this state.

Our agents connected with the investigation, of course, you know very well and it is useless for me to elaborate upon their qualifications, and to them, I would like to say again, the credit should go as to the success in this case.

I trust that this report, together with the photographs enclosed, will be sufficient for your purpose.

Respectfully,

A. B. White
Special Agent in Charge.

A.B.B.
Encl.

OKLAHOMANS OPPOSED PINE, HARRELD BOTH AGAINST RULE

Washington, Jan. 25. (AP)—The senate invoked its dramatic cloture rule today to limit debate on the world court.

The step makes certain a final vote on the court issue within a few days, with adoption of the resolution of American adhesion to the tribunal foregone conclusion.

The vote for cloture was 68 to 26, or five more than the necessary two-thirds.

Thirty-seven republicans and 31 democrats voted to invoke the rule with 18 republicans, seven democrats and one farmer-labor opposing it.

The roll call follows: For Cloture:

Republicans—Bingham, Butler, Capper, Couzens, Cullinan, Curtis, DeWitt, Edge, Ernst, Fess, Gillett, Goff, Gooding, Green, Hale, Jones of Washington, Keyes, Leavort, McKinley, McLean, McMaster, McNary, Meeker, Nebeck, Odell, Pepper, Phipps, Reel, of Pennsylvania, Sackett, Schall, Shortridge, Smoot, Stanfield, Wadsworth, Warrew, Weller and Willis—37.

Democrats—Ashurst, Bayard, Brant, Bruce, Caraway, Edwards, Ferris, Fletcher, George, Gerry, Glass, Harris, Harrison, Hoffman, Jones of New Mexico, Kenrick, King, McCar, Mayfield, Neely, Overman, Pittman, Ransdall, Robinson of Arkansas, Frank, of New York, Eastwood and

Against Cloture:

Brookhart, of Iowa, Dake, Edmunds, of Idaho, Frazier, of Iowa, Johnson, of California, Moses, Norris, of New York, Paine, of Indiana, Watson and Williams—18.
Farmer-Labor—Blaise, of Missouri, Smith, Stephens and Wheeler—7.
Total, 26.

Only two senators, Dupont, republican, Delaware, and Copeland, democrat, New York, were absent. It was announced that if present Senator Dupont, who is ill, would have voted in the affirmative. There was no announcement as to how Senator Copeland stood on the question.

Not Test of Strength.

Pro-court leaders declared the vote could not be regarded as a test of strength on the court issue itself. A number of senators who voted against cloture, they said, will support the court resolution.

The roll call followed an hour's debate, during which Senator Robinson of Arkansas, the democratic leader, declared it was not only the right but the duty of the majority to force action on the court.

This is the second time the cloture rule has been invoked since its adoption in March, 1917, after a group of 12 senators had conducted a successful filibuster against President Wilson's armed ship measure.

The first time the rule was used was on November 15, 1919, to limit debate on the treaty of Versailles. The vote then was 70 to 16 and a vote on the treaty

Oklahoma City, Jan. 25. (AP)—men charging W. K. Hale, wealthy ranchman, and Ramsey, a farmer, with the murder of Henry Roan, an Osage Indian, were sustained today by Judge John H. Cottteral, United States district court.

Judge Cottteral held the indictment was insufficient. At the same time he sustained the jurisdiction of the federal government in prosecuting the case on the ground that the alleged murder occurred on restricted Indian land. This means that a new indictment must be drawn.

Both Ordered Held.

Hale and Ramsey were ordered held for further consideration by a federal court grand jury which will reconvene at Guthrie February 12.

Judge Cottteral upheld the demurrer on the ground that while the indictment set out that the land on which Roan was killed was restricted, it did not specify the manner in which the restrictions had been imposed.

He held that the indictment did not definitely state, also, that the allotment of Rose Littlestar, where Roan died, was Indian land.

Defense Council Claim Victory.

Counsel for Hale and Ramsey declared the decision a victory. They said that the question of whether Osage land is still considered "Indian country" hinges upon the consideration of its still being held in trust by the government. This is not being done, they asserted, and characterized the decision as "the end of the case so far as the government is concerned."

J. M. Springer, counsel for Ramsey, announced that he would apply for bail for his client.

"While the court has decided views on making bail in such cases, the application may be filed and it will be given due consideration," Judge Cottteral replied.

Roy Lewis, United States district attorney, said he would not appeal from the decision, and would start preparations at once to have a new indictment returned.

Referring to what is termed "Indian land," Judge Cottteral said:

"It is apparent that all the allotted lands might have been freed of the government trust and become subject to sale and alienation by the allottee.

"The indictment is indefinite as to the actual status of the Rose Littlestar allotment, that is, whether it was so held in trust, or alienable and free from it by virtue of a certificate of competency or authorization of the secretary of interior or otherwise."

He said the Littlestar allotment would remain "Indian land" and subject to federal jurisdiction only if held in trust by the United States government.

NO MONEY REFUNDED TO OWNERS OF CARS

Oklahoma City, Jan. 25. (AP)—Not money will be refunded by the state to owners of cars...

GRAND JURY TO RESUME WORK

LAST OBSTRUCTION CLEARED AWAY

Guthrie, Jan. 25. (AP)—The grand jury investigating the alleged murders of Osage Indians will be re-assembled not later than February 12, to consider new indictments against W. K. "Biddy" Hale and R. A. Ramsey, Edwin Brown, U. S. attorney general in charge of the investigation, announced Monday.

Brown made his announcement following the action of Judge John Cottteral, who quashed indictments existing against Hale and Ramsey on the ground of insufficiency but holding that government has jurisdiction in prosecutions for the deaths of Henry Roan and other Osage Indians.

Brown hailed the decision as "our greatest victory" and removal of the "last" obstacle to prosecutions for the Osage murders will go through to conviction.

"The fact that the indictments were quashed is a mere technicality brought about by technicalities," said Brown, "the fact that government has established jurisdiction to prosecute Osage murders of far-reaching effect and that the guilty will be brought to trial."

The federal court has faith that the evidence against the Osage murders will sustain indictments by ordering Hale and Ramsey held in the Logan jail pending re-assembly of grand jury and new indictments.

Trials Probably in May

The action Monday also indicates that in event of removal of Hale and Ramsey, it is safe to presume that these men and any others probably will be held during the May term of court.

The grand jury which re-assembled was dismissed January 12 by Judge Cottteral with the statement that matters before the body at that time had been investigated as far as possible at the time. It was then told to return February 12 to continue its sessions unless otherwise directed.

not a general when... French... obtaining French... for a foreign power.

TO PURCHASE TO BE PROBED

THE FUND IS TO BE WITHHELD

Washington, Jan. 25. (AP)—The navy amended the naval aviation bill to withhold for a fund of \$200,000 for an all-metal aircraft development corporation backed by Ford interests.

The bill will be postponed pending attention of the whole staff of the house naval affairs committee, navy department for all its correspondence with the corporation concerning the building of the house.

INCANDED LAMP IS FATAL TO TINY BABE

Washington, Jan. 25.—A medicinal lamp, placed to aid the breathing of an infant in a foundling home here, cost the child's life last night when it returned. The lamp ignited at over the crib and the 11 months old was fatally before reached by a nurse.

DEPARTMENT OF WAR MAY GET NEW NAME

Washington—Sol Bloom of New York would take the war out of the department. He has introduced a bill in the house to rename the department of the war.

As Aid for Baby

PETITIONS FILED

TAX COLLECTION WILL BE PROTESTED

Oklahoma City, Jan. 25. (AP)—Ed Butterfield, Oklahoma county commissioner, and head of the state association of county commissioners, withdrew today as a plaintiff in an injunction suit attacking the constitutionality of the state highway department.

His withdrawal was announced following a continuance of a hearing on the case until tomorrow morning to allow the three plaintiffs to draw new petitions.

New Petitions Planned.

W. I. Cunningham, state representative from Creek county, and R. C. Oldham, McCurtain county commissioner, are the other plaintiffs. Each will file a separate petition tomorrow. Cunningham will try to enjoin the collection of the automobile license fee for 1926 and the disbursement of funds derived from the three-cent gasoline tax. Oldham will bring a similar action except that he will appear as one who has already paid his 1926 fee and seeks to prevent its disbursement.

Butterfield withdrew after the court had heard his petition in the case.

Short Represents State.

The state is represented by Attorney General George Short, William Murphy and C. H. Johns, assistant attorneys general. Kirby Fitzpatrick of Ardmore appeared for the plaintiffs.

The suit is the second filed by Butterfield in which the constitutionality of the highway law is questioned. The first suit was dismissed after the court had sustained a motion of the state requiring that different causes of action be stated separately.

Eleven causes of action are contained in the second petition.

VETERAN MAIL CARRIER DIES

HE DIED HERE WHEN STRIP OPENED

T. W. Acton, 59 years old, one of the first rural mail carriers out of Ponca City, died early Sunday morning at his home, 200 North Third street, following an attack of heart trouble.

Funeral services were held at the chapel of the Gill funeral home.

... bent over and look into the disfigured woman in the Med... and had said: "I wish she would speak—she would tell me that I am guiltless."

Confesses After Four Hours

The confession, made in the office of District Attorney William Taylor at Media, came in tumbling frantic words after the chiropractor had been cross-examined for four hours.

He was taken to Media from his home in Bywood Heights, which overlooks the ravine where the young woman's head was found wedged under a railroad trestle Saturday, and where yesterday searchers came upon remains of the clothing she had bought last Tuesday, the day she disappeared, to wear to a dance the following night.

McCall had glibly answered a multitude of questions in the district attorney's office, in his own home, his Philadelphia office and in the presence of the mutilated body in the morgue.

McCall had been left alone with District Attorney Taylor. "Frantic With Fear"

"Mr. Taylor," he began suddenly, after a tense silence of five minutes, "I want you to promise me one thing—that you will take care of my wife and child." Then there was another silence. "I know why I did it—I was..."

When he began the brief story of the woman's death and the dismemberment and disposition of her body.

Met Girl Outside Office.

"I met the girl Tuesday night outside my office on Seventeenth street in Philadelphia," he began. "She said she did not feel very well. I proposed that she go up to my office—I told her the door was unlocked and lie down. I said I was going out to get something to eat."

"I was gone about an hour. When I came back I went to my office, but I did not see Miss Dietrich. She was in the bathroom."

"I sat down and read for ten or fifteen minutes. Then I knocked on the door of the bath room and when she did not answer I pushed in the door, which was fastened with a catch.

Unable to Revive Her.

"I found Miss Dietrich on the floor in a heap, unconscious. I picked her up and carried her to the operating table in my office. I tried to revive her, but could not. I worked on her until she died."

"Then I became frightened and... I did not know what to do. I have a wife and child and I would be blamed for her death."

He kept the body all that night in his office. Early next morning he came back and then I cut off her head and legs with a hack-

... the body. I got into the morgue...

Kan John... and went to stay out late night shooting craps.

Lillian heard the way to make a husband stay at home was to keep him interested.

So she learned to shoot craps too.

"Now I have him faded and we get along swell," the younger bride told Judge John Lape in asking that her charges of neglect against her husband be dismissed.

OWNER OF CAR TO WONY

What police say City's life... Wjehit... Sunday when... the city... J. J. Miller...

which was... front of the Ponca East Grand... 10:15 o'clock.

She is Miss... er Blackwell... has been living at... is about 30 years.

The woman... established a... trip to Wichita... in the 86... than two hours...

According... the police... phoned... she wished... City Sunday... rored from... immediately...

where... from her... the hotel... have the letter... mail if he... of the car...

Apparently... car theft... the Ponca... morning... the afternoon... the street... the hotel... employed... woman... hours.

As... to the... the Sellers... store... her... the Farm... other... license. She... the city...

Discovering... Miller... he suspected... Hurred... tel... lice in other... arrest at W...

The... wait... to Oklahoma... day... requisition... Ben... to W... custody.

Mot

CHAMBER WILL MEET TUESDAY

NEW MEMBERS BEING ADDED DAILY

The regular weekly business smoker of the Chamber of Commerce will be held Tuesday evening at 7:30 in the basement assembly room of the Masonic building. The present membership campaign is in progress and numerous citizens have... who have not been... desired that all members, including these new ones, attend the smoker, which are open to all. It is desired, too, that they bring before the meetings any matter they may consider of importance to the city and community, and all subjects discussed are open to all members for participation.

Additional memberships received include the J. A. Haren Tank company; Mrs. E. L. Donahoe; Mrs. Samuel Collins, sr.; Seward Sheldon of the Marland Oil company; Dr. D. C. Hoot, specialist; Jay G. Paris Furniture company; Hugh Sanders, real estate and insurance; F. C. Bell of Bell Home & Material company; Alvin Adams, jeweler, and Curt E. Hall, investments.

L. W. Osborne of State A. & M. college, soil expert, was in the city Saturday with Ed H. Martin of Newkirk, county farm agent, for the purpose of testing the lime deposits in the immediate vicinity of Ponca City as to whether or not it is proper for fertilization of farm land. He is also getting samples of farm soil to test its assimilation with the lime. Several farmers of this community have expressed a desire to lime their land. The Chamber of Commerce brought Osborne here through Martin in order to ascertain the details. F. A. Heberling accompanied them on their rounds this afternoon.

Phil Slevert reports good success in calling upon citizens and interesting them to become members of the Chamber of Commerce for the ensuing year.

Tuesday

AT 9 A. M.

36-inch Standard

PERCALE

Light and dark
Patterns.

10 YARDS \$1.00

10 yards limit.

Wool Unions—

Men's wool process union suits, \$2.50 values,
THE SUIT—

\$1.00

Flannel Shirts—

Men's flannel shirts,
plain and plaid patterns,
EACH—

\$1.00

Boys' Shirts—

That boy's good fast
colored blue shirt, sizes
12 1-2 to 14, **TWO FOR**

\$1.00

Silk Ties—

Men's 50c silk four-in-
hand ties, buy them now
at FOUR FOR—

\$1.00

Men's Soft Shirts

Men's dress shirts, col-
lar attached, a nice line
of patterns, all sizes,
EACH—

\$1.00

Men's and Boys'

Shirts

DOLLAR DAYS at this store mean a real saving. This Dollar Day will offer most unusual bargains and values unsurpassed. Read every item carefully and then decide for yourself if it is not well worth your while to attend this, our greatest month's offering.

Dollar Day is a regular monthly event at Anthony's and our customers have learned that every item offered is bona fide and always as represented. This Dollar Day is no exception to this rule. Come early and be prepared to carry home a big load of bargains.

Winter Coats

Just a few Winter Coats left in stock now, and we are going to clean them up these next two days if price will do it. Make your selection now at only

\$14.75

Silk and Wool Dresses

These are what we have left in Winter Dresses, about twenty on one rack. There are dresses in this lot that sold formerly up to \$29.75. Buy them now at—

\$11.75

Wool Dresses

One rack of Winter Wool Dresses, very attractive in style and real value. Make your own alterations and take your choice at, each—

\$4.98

Tuesday

AT 2 P. M.

19c Fast Colored

GINGHAM

32 inches wide

10 YARDS \$1.00

10 yards limit.

Non-Kling Slips

A nice shadow non-kling princess all in white and color

EACH—

\$1.00

Children's Hose

Here is a nice children's fine hose, black or cordovan regular 35c hose, **FOUR PAIR FOR—**

\$1.00

36-in. Cretonne

A good cretonne, 36 in. wide, in a good pattern, **10 YDS FOR**

\$1.00

Ladies' Silk Hose

Our new spring line of fiber silk hose in black and all popular shades

TWO PAIR FOR—

\$1.00

DOLLS! DOLLS!

We have a few dolls left. For two days, you may select dolls worth up to \$3.98 at **EACH—**

\$1.00

Bath Towels

These... given... model...
 model...
 make...
 Sims has announced

In grading...
 model school...
 school ground...
 set, or the rating... cannot be...

Fairview school was rated superior model Wednesday with 87 points to spare, Mrs. Sims reports. The teacher of the school is Mrs. Myrtle Stagner.

New Hope, district 75, taught by Miss Winifred Weathers, had 130 points more than the necessary \$200 for superior model school.

The school at Lucien, which now has three teachers, but couldn't score model school last year, was given the superior model rating this year. This school teaches primary, intermediate and junior high school.

District 77, a school for colored children, scored superior model for their second consecutive year. This school is one of the most up-to-date in the county, Mrs. Sims said. The school is taught by Layma Savage.

Hunter School, district 78, showed an improvement said to be the second greatest in the state. By scoring superior model this year they accumulated 500 more points this year than last. Mrs. Helen Grull is the teacher.

Two schools were given the model school ratings. They were taught by Mrs. May Lief. The four schools which were awarded superior model or model ratings as soon as they made certain improvements were Barrett school, Oak Point, Pioneer and District 41.

By making certain improvements on their playgrounds both Great and Oak Point schools will be able to score for the superior model ratings, Mrs. Sims declared. Pioneer and District 41 will be able to secure model school rating improvements on furniture and grounds respectively.

Only one school of those inspected failed to score. Oak Hill was unable to accumulate the necessary 1,000 points.

The inspection of other Noble county schools will continue this week when Miss Victoria... in the office of State Superintendent M. A. Nash... will be... carry on the work.

FREE WOMEN FILE SUITS FOR DIVORCE

Newkirk, Jan. 25.—Ema Cook of Newkirk has filed suit for divorce from her husband, Edward, on grounds of desertion since July last year. The couple were married last April at Joplin, Mo. Cook set forth in her petition filed in district court here that although her leg was broken last winter and she had to go to a hospital, her husband refused to...
 Newkirk, Jan. 25.—Ema Cook of Newkirk has filed suit for divorce from her husband, Edward, on grounds of desertion since July last year. The couple were married last April at Joplin, Mo. Cook set forth in her petition filed in district court here that although her leg was broken last winter and she had to go to a hospital, her husband refused to...

increase, they tend to...
 the growth of the yeast...
 rolls may be made...
 from bread dough by adding the extra sugar and shortening when the dough is ready to be punched down the first time. In this case, of course, more kneading is required in order to combine the materials thoroughly and it may be necessary to knead in more flour.

After rolls are molded and placed in the pan, they may be put

ing to the dough...
 Roll the dough out thin and cut...
 small pieces from the dough, roll them into balls, and flatten with the palms of the hands. Brush the top part lightly with butter, crease through the center with the handle of a table knife, fold over and press down the top. Brush the top with butter if a soft crust is preferred. When they have again doubled in bulk, bake them quickly in a hot oven (425 degrees F.) for 10 or 15 minutes.

JUDGMENT OF \$750 GRANTED MRS. WOODEN

Newkirk, Jan. 25.—Because she tripped over a protruding curbing in front of the Kaw City National bank at Kaw City two years ago and suffered a Pott's fracture of the ankle in so doing, Mrs. Agnes Wooden sued the city of Kaw City for the bank for damages of \$10,000. A district court jury gave her \$750 here Friday.

Mr. Wooden is the wife of Clyde Wooden and is the mother of two children. She testified that as she was walking along Main and Fifth streets of Kaw City in March 1, 1924, after dark, that she stumbled over a protruding curbing which jutted about four inches above the sidewalk. She said that she did not know the curbing was in such condition and that she had a baby in her arms at the time.

She maintained that two bones of her left leg were fractured in such a fashion that for six weeks she could not walk and now can only bear weight on her left leg by walking slowly and that the fracture proved a shock to her entire nervous system. Mrs. Wooden said she has been unable to do housework and that physicians say she will always walk with a limp. The accident was attributed to carelessness on the part of the city in leaving the walk in such a dangerous condition.

INSURANCE AGENT IS STATE'S HIGH MAN

Newkirk, Jan. 25.—Newt Lawhorn, Mid-Continent Life Insurance agent in this district, is now on a trip to Old Mexico which he won by being high salesman in a contest the Mid-Continent held in Oklahoma. Mr. Lawhorn had the record of selling more life insurance during the contest than any other man in the Mid-Continent employ in the state.

Marriage Licenses Issued
 Newkirk, Jan. 25.—Marriage licenses were issued to the following couples Saturday from the court clerk's office: Luther A. Clark, 30, El Dorado, Kan., and Clara Craig, 21, Braman; James Lorain, 28, son of William Lorain, and Estelle Lyday, 18, daughter of William Lyday...

WOODPILE UNDER CLOTHESLINE IS TRAGIC MISTAKE

Tonkawa, Jan. 25.—George Ebert, farmer east of Tonkawa, built his woodpile under a clothesline. Sunday, while he was replenishing the woodpile, his ax became entangled in the clothesline. When it descended it connected with Ebert's head instead of the stick of wood. Several stitches were required to close the gash in his scalp. The injury is not serious, his physician said.

ROAD WORK IS OUTLINED FOR TWO COUNTIES

Enid, Jan. 25.—Improvement of 229 miles of state roads in the 16 counties comprising the northwestern division of the Oklahoma state highway system, with paving on approximately 30 miles of this road, is the contemplated road program for this year, according to C. W. Rightmire, division highway engineer for the district.

Rightmire gives a summary of the work to be done in the 16 northwestern Oklahoma counties, with the following in Kay and Noble counties or the Ponca City district:

Kay County—Build, grade and drainage structures to Blackwell to Hunneywell, Kan. Grade and drain from three miles south of Tonkawa to Three Sands. Grade and drain from the west end of the pavement four miles west of Ponca City for seven miles and possibly pave four miles of this highway. This road leads west toward Blackwell.

Noble County—Grade and drain from Three Sands south to present pavement 10 1-2 miles north of Perry, and continue this road east of pavement west of Marland. To grade and drain from Lucien east to present work now going on from Perry to Orlando. If the courts hold the Noble county bond issue of \$900,000 voted last summer to be legal, the road from Perry to Orlando will be paved this year with state and federal aid.

SONG IS COMPLETED

aged in the...
 having an...
 G. A. R., both local...
 state organization...
 was signa...
 chosen commander...
 Army of the Republic...
 homa. He was...
 member of the...
 Strahan...
 Ind., on April 20, 1861...
 months later recruited...
 fourth Indiana infantry...
 wounded and discharged...
 cember 8, 1863, but re...
 August of 1864 and...
 the end of the war...
 Funeral services...
 Monday afternoon at...
 the Grace Hill cemetery.

BRAMAN SETS PAC IN SCOUTS

Tonkawa, Jan. 25.—...
 ter, scout executive...
 Kay Boy Scouts...
 Braman has...
 out of any city...
 the scout schools. They...
 men at the opening...
 Braman school.

Schools are now...
 in Braman, Tonkawa...
 Ponca City and Blackwell...
 and Marland schools...
 completed, and classes...
 Rock, Morrison and...
 Noble county and...
 county are yet to be...
 Wester says...
 over the area...
 interest in the work.

More than 8,000...
 have occurred on...
 coast during the last...



Sunny hours through a...
 wonder and...
 the...
 the...

HAGEN MILL

OP MARKET BUREAU
IS ESTABLISHED

... of the ...
a ...
per ...
Sam ...
said today that
campaign will be inaugurated
ter delinquent motorists
been given a reasonable
of grace to obtain tags.

Washington, Jan. 24.—(AP)—The
a bill to establish a co-
operative marketing division in
department of agriculture was
today by the house.

THE DAY IN WASHINGTON

The measure now goes to the
senate. It carries an appropria-
tion of \$225,000 to accomplish
the work of the new division the
first year. It is designed to aid
co-operative marketing organiza-
tions in disposing of their crops.

House nca. decision on
operative marketing bill.

World court debate continues
senate under cloture.

General Patrick testifies on
defense bill in house committee.

Man Paid Miller 10-Year-Old But Profited at Least \$9 in Closing Up Aged Loc

COOL JOE C. MILLER of the 101 Ranch is still
scratching his head after several months think-
ing to decide just where he stands personally as a result
of a payment to him of a dollar debt, ten years old.
This occurred while the wild west show was on the
road and fall in South Carolina.

A stranger came to the
front of the show tent and
asked for Cool Joe Miller.
When the latter was called
the stranger introduced him-
self, and said Joe Miller had
owed him a dollar ten years
ago. Miller said he had
paid it long ago and
asked the stranger why he was
asking to pay it back, here.

Miller could not fix a
date for the show that left
him. Of course Miller
had paid and counted on
the money. With
Miller, after
the show was
over was he
pay a dollar
old, it had
nine dollars in
in the long run.
"I am not
man to
reflection.

The stranger then informed
that he had been fairly
well in business and had
made some money. He
said his wife and two
children were at home.
After some further
talk the stranger ask-

IS
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toda
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GRAPHET

SENTENCES

JANUARY TERM OF COUNTY COURT IN NOBLE IS ENDED MONDAY

Perry, Jan. 26.—The January term of the Noble county court ended Saturday, with nine convictions and one acquittal of the 100 law violation charges. Sentences were pronounced Monday by E. W. Jones, judge of the county court. Most of the sentences included fines and jail sentences.

Jim Leigh was acquitted on his appeal of a sentence for selling liquor. Those sentenced by the court were: Walter McKee, W. Norvelle and J. L. Norvelle, manufacturing whisky; Barnes Taylor, maintaining a place where liquor was sold; Jim Dale, maintaining; J. P. Braden, transporting; Homer C. Fry, possession; J. Blackwell, possession; Tip and P. Baily, manufacturing.

The jury panel was composed of W. C. Bowers, John Andrews, Frank Douglas, L. A. Parsons, H. L. Brown, R. L. Cooper, J. Beasley, S. D. Carpenter, C. Hunter, A. Steele, E. Seitz, J. Dunham, H. L. Derry, A. C. Lamb, Ernest Shook, R. J. Halsey, John Smoot, E. E. Nelson, Frank Portana, W. G. Coulter, H. B. Payne, Beryl McQuinston, L. J. Layton and Clifton Holland.

RETAILERS' SECRETARY AT TONKAWA RESIGNS

Tonkawa, Jan. 26.—Miss Francis Greedy, who has been secretary of the Merchants' Credit Association since its organization two years ago, will resign her position February 1 to enter Phillips university at Enid. She will be a sophomore, and will take a straight academic course.

Newkirk, Jan. 26.—Rev. W. Anderson of Mo. has been given the pastorate of the Christian church in Newkirk. Reverend Anderson preached to a large audience at the church Sunday morning and following services Sunday evening at a meeting composed of the church board and the congregation. Reverend Anderson was definitely decided on as resident pastor of this city.

He will bring his wife and family here from Morett some time this week. Most of Reverend Anderson's pastorates have been in Missouri. He has had wide experience and is an interesting speaker. He replaces Rev. C. C. Taylor, visiting pastor, a professor in the Bible college at Phillips university. Rev. Taylor is now placed at Billings.

FIRE HYDRANTS TO BE STANDARDIZED

Tonkawa, Jan. 26.—Hydrants and hose connections of Tonkawa will be standardized, according to E. A. Rogers, chief of the Tonkawa fire department. This will be done in conjunction with the standardizing agreement made by Blackwell, Ponca City, Perry and other cities, which will enable the fire departments from the cities to come to the assistance of each other in case of a serious fire.

Tools from the state inspection bureau are now being used to standardize Ponca City equipment, and will be sent to Tonkawa as soon as the work is complete there.

Marriage Licenses Issued.
Newkirk, Jan. 26.—Marriage licenses were issued over the week end from the court clerk's office to: Clifford Rozell, 19, and Edith Long, 18, both of Newkirk; Charles H. Jester, 23, Lees Summit, Mo., and Corinne Hill, 23, of Independence, Mo.; John R. Miller, 30, Cooper, and Helen B. Frost, 24, Shidler; Harry O. Ames, 26, Cashings, and Irene Chappell, 20, Newkirk.

More
in bla
for
buy
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3

THE WEATHER

Oklahoma: Tonight and Tuesday partly cloudy to cloudy.

VOL. XXX.—NUMBER 118.

THE PONCA

(P) Means Associated Press

PONCA CITY.

QUASHES

Chiropractor Confesses Snapping Woman's Body

Philadelphia, Jan. 25. (AP)—David L. Marshall, a chiropractor, confessed at 8:15 a. m. today that he had dismembered the body of Anna May Hutchins, 35, and unnerved Marshall.

That he had murdered the woman and dismembered her body was the first confession of the crime since the body was found in a field near Philadelphia after police had searched for it for several days.

WOMAN FACES AUTO THEFT CHARGES HERE

WOMAN FACES AUTO THEFT CHARGES HERE

SHE RAN OFF WITH AUTO

SA CITY NEWS

MONDAY, JANUARY 25, 1926.

DOLLY!

At ANTHONY
TUESDAY and WEDNESDAY

not only... first
all step in finding for but but is
chief also the best direct a to
the break down the government...
of af- dence case Other attacks of the
have government's case have been along
period technical lines.

Gave Many Leads

That Ramsey was a virile part
of the alleged Osage "murder
ring" and that his confession,
although now repudiated, gave the
officials many vital "leads" in
their investigation is admitted
by the secret service men who
are still working on the case.

The reports that Ernest Burk-
hart has told many vital things
in the investigation has been lately
verified.

It is reported that it was on
information obtained from Burk-
hart Ramsey was confronted when
he made his alleged confession.

Burkhart, while not held in jail,
is "not free" Federal agents say,
and "there will be buds on the
trees when he sees the Osage
hills again," they add.

MINERS CONFERENCE SCHEDULED TO OPEN

Philadelphia, Jan. 26.—In an
effort to settle the anthracite
strike a conference of operators
and miners was called to meet at
3 p. m. today.

John L. Lewis, president of the
United Mine Workers, at whose
request the call was issued, said
last night that if the operators'
spokesmen would waive their in-
sistence on arbitration of wages
the strike would end 20 minutes
after the meeting opened. It is
the third attempt by the two
groups to adjust their differences.

New Ministers Appointed

Washington, Jan. 26.—(AP)—H.
Percival Dodge of Massachusetts
was nominated today to be min-
ister to Denmark, and John Dyne-
ly Prince of New Jersey to be
minister to the kingdom of the
Serbs, Croats and Slovenes. Prince
is now minister to Denmark and
Dodge to Jugo-Slavia.

Y NEWS

BY APPOINTMENT TO THE PRESIDENT
Full Length Wire Associated Press

Ramsey Repudiates Alleged Confession in Osage Murder

Surgeon Starts Man's Life After Beating Again With Knife, Removes Appendix With Other

Under the heart, which had been crushed and massaged, a small artery was restored and the surgeon finished the appendicitis operation.

ADMITTING RAMSEY AVERS

THIRD DEGREE MURDER ATTACKED IN AFFIDAVIT

DENIES HALE HIRED HIM BOND APPEAL WILL BE BASED ON AFFIDAVIT

Scantily Clad Girl Held On Drunk Charge Alleges Embassy Furnished Booze

Washington, Jan. 26. (AP)—Search for a woman who gave her name as Miss Benita Kennison, of Tulsa, Miss police here to explain how it happened that she drove an automobile into a lamp post during a snowstorm, and principally in a red bathing suit. The girl, who is visiting her sister here, also is indicted by the police to discuss reports to them that the collision terminated a two day "embassy party" at which she and her friends partook of "embassy refreshments."

Embassy Supplied Liquor? One explanation was offered Police Judge McDonald yesterday by the girl's sister, Velma, who with a man, John Hoffman, were in the automobile when it was halted by the lamp post. Benita had fired of school, Velma said, and had come to Washington for a little excitement. "A welcome party" followed, she declared. Police added the information.

Guthrie, Jan. 26. (AP)—The depth of the government information in the murder of Osage Indians was revealed to be revealed here today when it became known that they have a confession by John Ramsey that he was implicated in the murder of Henry Roan for which he and W. K. Hale were charged.

The confession by Ramsey was made known when attorneys for this defendant started action to repudiate his statements made to government officials that he had paid \$500 and given a small car by Hale for killing Henry Roan.

J. M. Springer, attorney for Ramsey, was in Guthrie Monday afternoon and made out affidavits which were later signed by the prisoner and which were made to reveal, in reverse, what Ramsey first told Federal officials.

NEW LICENSE CHIEF NAMED

FLORENCE WALTON WILL HANDLE TAGS

Police City motorists who have not obtained their 1926 license tags...

Smith's representative in the state license department is Florence Walton, 301 North Fifth street, Smith's assistant in the license bureau, has been appointed to succeed him. She formerly was employed by the Glass L. Wigton Motor company which that firm had charge of issuing the 1926 license tags. Recently she has been employed in a Tulsa law office until returning here to assist Smith.

Since the office closed because of the death of Smith, George U. Noble of Oklahoma City, secretary for the state highway department, has been auditing the books. Although this task has not been finished, it will not be long before the department is back in operation.

...to spend the night at the home of the girl and postponed the trial. The girl was charged with driving an automobile while drunk and without a permit. It is the second time that the "driving while drunk" charge has been placed against a woman here.

HOUSE PASSES

Hale for the murder of Henry Roan.

- 1—That Ramsey ever talked with W. K. Hale about the murdering of the W. K. Smith case at Fairfax.
- 2—That Ramsey ever talked with W. K. Hale about the murdering of Hale.
- 3—That Ramsey ever talked with W. K. Hale about the murdering of Hale.
- 4—That Ramsey ever talked with W. K. Hale about the murdering of Hale.

The affidavits, signed by Ramsey, accuse the government of holding the prisoner in bars and extracting an "alleged" confession from him after a grueling third degree from which he could only escape by an alleged confession.

The affidavits are to be presented by Attorney Springer when he asks Federal Court for bond for the prisoner. The attorneys were not satisfied with such a confession in the hands of the government.